

6/9/70

Dear Gary (ccPaul),

You once told me that, in effect, there was no way of predicting when the anxiety feeling sets in, that it is sort of free-floating. I had an experience yesterday that tells me this in a different way, one that should have caused it, I would think, and didn't. I got four harrasing calls in five minutes. Been a very long time since I had one. Before I get to the purpose of this letter, I'll tell you about it and have a record.

About 5:55 p.m. the phone rang. I answered it, and whoever phoned seemed to hang up. In a minute it rang again and an odd voice said what I took to be "You lose some Chickens, Harold?" Possibly my name was first, and the word "chickens" was not clear. It ended with a kind of laugh and then click. In a minute, the phone rang ~~xxx~~ again, again no one there, then a fourth time and the same words delivered the same way, followed by the same laugh, then nothing. Immediately I dialed information, got the number of the State police, and reported the harrasing calls. It happens I was expecting an investigator from a distant police department at six (he was a few minutes late), and I thought I'd have him listen in if repeated, but it wasn't, perhaps because the one doing it had done all he intended. The last time, in anticipation, I turned the tape recorder on before I answered the phone, so I suppose I have the bit of voice on tape. A criminal investigator is to come this a.m., and from what the police indicated last night, they'll ask the phone company to monitor my line so it can be traced.

Now, why this kind of call at this time? I thought of it later (and the thing that surprised me is that thinking of it did not cause any anxiety feeling or reaction). It then came to mind that earlier in the day I'd had a phone call from Pittsburgh, from a man who hadn't been able to find any of my books after II. Lil answered that, called me, and by the time I picked up the phone there was a recorded announcement, in a male voice, telling me to dial the number again. I hung up. The phone rang again and there was silence. Then it rang again, and this time the party was there. This is all rather unusual, for ours is the most modern, automated exchange in the area, the newest. In retrospect, I later wondered whether this indicated what one never hears of any more, a direct tap, but I think it unlikely.

There are but two things which I can relate this to, the reactivation of the helicopter suit, on which I conferred with the federal attorney and the judge two weeks ago, may have started an investigation by the federal attorney, although I doubt it. If that did happen, then it is possible the FBI was going around where I used to live. The other is a story in the Hagerstown paper, 20 miles away, but in the center of a radical-right area, saying I had won the suit against Justice and, if they didn't deliver the two things they were withholding, would still take it to court. But they earlier reported the filing of the suit in a larger story, with front-page picture, and then the government capitulation, so I think this also unlikely. There is nothing I consider likely. However, the implication inherent in this, that chickens were the least thing I'd lose, was not lost upon the sergeant who answered the phone when I reported it last night, and I didn't suggest it to him, thus getting confirmation of my own interpretation....The man who came is an expert on the radical right, and he came to pick up some valuable material I am getting from one of my sources, to copy and return. I suppose the police here will dub the tape. If they do, I'll send this guy a dub. He knows all the radical-right leadership voices for the area, and he thinks the polished threat I got a while back (the cause of my meeting him) is a familiar one....Remember, it is more than six years since I've had a chicken...

Yesterday I got a letter from Mitchell. As Bud described the stationary

when he got the letter of capitulation - describing it before telling me of the success he was so taken with it - this is a real, far-out guy. It looks like it was lost in the desk for years. The envelope is soiled and spotted, and as yellowed as from age as the letterhead.

I'll make copies and send when I take it to Bud. In brief, he rejects two appeals, each two months old. The first is on the panel report, on the same basis as Kleindienst, that they have no raw materials. He adds that he caused a personal investigation to be made. I think you'll spot the finger-crossing, which I'd already taken up with Kleindienst and with Rolapp when he had phoned about this. The second is on the spectro only, saying it is an investigative file, which I am prepared to test separately.

Here Paul can be of help. You once wrote what I then took as a cogent argument based on either the law or the AG memo, to the effect that when it is substantially made public it cannot be withheld. If you could repeat this for me, citing the sources, I'd like to include that in the complaint, and I'd like to file that complaint as soon as possible, before getting really bogged down in the helicopter suit, where I now have all the work to do. I will also pick up the provisions never cited, that the file of this character to meet the provision for exemption, must also be for law-enforcement purposes, and there was no federal jurisdiction (I presume they'll respond by saying they were helping a local police dept, but if they do, remember Curry's book?), and that it further must be such as would not be available to a litigant not an agency. This, I believe, perfectly fits Oswald, for it would have been available to him, and I doubt there will be any argument that he is an agency. I pick the spectro to test this for reasons that I hope are obvious, including the fact that there is no other possible provision for withholding, that it should influence thinking, to suggest that the very most basic scientific evidence is withheld when it discloses neither secret sources nor secret techniques. I have felt from the first, as you may recall from WW, that this is one of the touchstones to the entire thing, including investigative innocence, as well as that of the lawyers.

I've not heard from Bud since his return. He was gone for a week or so. Nothing new in any other area. I heard a fragment of a Chicago broadcast about 3 a.m. one morning toward the end of last week, as I awakened, missing the first part. It reported something about Ray and his lawyers. I had put the transistor radio under the pillow, tuned to Chicago, because the 60-day time for response to the Skolnic suit is about over and I wanted to hear if there were anything on it. I've heard nothing. I've expressed my concern over either alternative. I'd asked Bud, before he went, about seeing Ray, and he'd indicated he wouldn't. If either of you saw such an item in the paper, I'd like to know what it says. I should be hearing from Bud because I sent him a letter asking to see what Paul returned before it was integrated into the files.

Nothing else new. No responses to any other letters, including from Arch. They've located the "Nichols" picture of 399, have given copies to Howard, and have yet provided the copy I've been seeking for so long. I'll not ask for it again for the record is adequate as it stands. And the picture is as close a copy of me as could be made. John's crookedness began at the first moment of our first contact, which at this point is minor. In this connect, you may be interested in Mitchell's reference to the spectro being sought in another litigation. I presume this is John's old one, having heard nothing of his projected re-filing. His old one can't win without a miracle.

Best regards,